



SENATE NATURAL RESOURCES
EXHIBIT NO. 1
DATE 1/17/11
BILL NO. 557

COUNTY OF STILLWATER
STATE OF MONTANA
STILLWATER COUNTY COMMISSIONERS

P. O. BOX 970
COLUMBUS, MONTANA 59019

Honorable Representative:

April 29, 2008

RE: Strong Opposition to H.R. 2421, Clean Water Restoration Act

Stillwater County, Montana, believes in the Clean Water Act (CWA) and its accomplishments. However, we are opposed to Bill H.R. 2421(Bill) because of what we see as an alarming expansion of the federal authority of the CWA under the Bill. Counties are responsible for a wide range of activities designed to protect the health and well-being of their citizens. Stillwater County's fear is this Bill may pre-empt some of these ingrained, local land uses and give the Army Corps of Engineers (Corps) and the Environmental Protection Agency (EPA) excessive control over all watersheds in the United States.

Passage of the Bill would affect counties on many different levels. One would be the Section 404 permitting program administered by the Corps. Federal and state monies are often tied to county road and bridge projects. If project construction is delayed because of delayed 404 Permit approval, the county would face losing crucial federal and state funding and would also suffer cost overruns.

The number one industry in Montana is agriculture, and Stillwater County has a large agriculture base. This Bill would adversely affect our ranch and farm communities; Farmers with irrigated fields would be under federal regulations while irrigating their crops, and ranchers would be affected when livestock is watering and grazing in pastures. Agriculture producers throughout Montana, including Stillwater County, are very attentive to the environment because they own and manage over 64% of the land in Montana.

Stillwater Mining Company (SMC) in Stillwater County conducts mining operations for platinum and palladium at the Stillwater Mine near Nye, Montana. SMC is engaged in the development, extraction, processing, and smelting of these and associated metals in Stillwater County. SMC is the only known significant source of platinum group metals in the United States and one of three mines world wide. SMC employs over 1,600 people and is the largest tax payer in Stillwater County. SMC also pays over \$16,000,000 in taxes to the State of Montana. This Bill would have a significant, detrimental economic impact on current mining operations, maintenance of existing mines and exploration for new mines not only in Montana but also nationwide.

Stillwater County opposes this Bill because it expands the definition of waters and gives the EPA, Corps, and other federal agencies control over all watershed activities that affect waters in local and state jurisdictions. The Stillwater County Commissioners do not want this Bill to overturn the Rapanos and SWANCC Supreme Court Decisions of 2006 and 2001, respectively.

Respectively,

Stillwater Board of County Commissioners

Dennis R. Hoyem
Dennis R. Hoyem, Chairman

Ferry L. Friend
Ferry L. Friend

Maureen Davey
Maureen Davey